

REMARKS

The present response is in reply to the Office Action dated June 27, 2008. Claims 72-87 are pending; claims 78-80 and 82 have been withdrawn and claims 72-77, 81, and 83-86 are under rejection. Claims 72-74 and 77 are amended by this response.

Claims 72-77, 81, and 83-86 stand rejected under 35 U.S.C. § 103 as being obvious over U.S. Patent 3,072,118 ("Standerwick") in view of U.S. Patent 6,663,630 ("Farley"). The amendments to claim 72 overcome the rejection.

Independent claim 72 has been amended to recite a method for performing a craniofacial reduction. As set forth in the application, the present invention describes a process for reducing fractures of the craniofacial skeleton (e.g., a blow to the head may cause the craniofacial bones to be fractured and some pieces may become depressed in the head cavity). Accordingly, claim 72 has been amended to recite that the fractured bone portion is first located, which fractured portion is adjacent a second bone portion. A fragment manipulator having a threaded, bone-engaging end portion is inserted through a bore in the reduction platform and is engaged with the fractured bone portion. A nut is threaded onto the fragment manipulator until it contacts the reduction platform and is rotated so that the fragment manipulator is drawn up through the nut to pull the fractured bone portion attached to the manipulator toward the reduction platform. The relative position of the fractured bone portion is thereby changed with respect to the adjacent, second bone portion.

Standerwick does not teach or disclose the subject matter of claim 72 as now amended. Standerwick discloses attaching a halo device to the skull to provide a stable base to allow fixation of fractured facial bones by way of the pins (19, 70) carried on bar (17) (see, Fig. 1, showing a fractured lower jaw embodiment). The "fragment manipulator" referred to by the Examiner in the last Office Action – item 8 (see also items 9-12) – does not function as the fragment manipulator claimed in claim 72. The purpose of pins 8-12 is to anchor the fixation apparatus to the skull (3:14-37). These pins do not engage a fractured portion of bone that is located adjacent to another portion of bone, and the Standerwick device is not used to rotate a nut to draw the fragment manipulator toward the reduction platform and change the relative position of the fractured bone portion and the adjacent, second bone portion as recited in claim 72.

The Examiner has suggested that Standerwick inherently discloses the step of rotating the nut and drawing the manipulator and bone toward the reduction platform (Office Action at 3-4). But that position is incorrect. Standerwick does not inherently disclose the step of rotating the nut and thus causing the pin (e.g., 8) to move toward the reduction platform and to bring the skull portion with it. Standerwick does not say whether backing out the pin (8) would also cause the skull portion to move as well or whether the pin would simply back out by itself (a perhaps more logical conclusion for the device must be able to be removed). Regardless, claim 72 now recites that the bone engaged by the manipulator is a fractured bone portion and that it is adjacent a second bone portion, and that when the manipulator is withdrawn towards the platform, the fractured bone portion is moved toward the reduction platform and its relative position to the adjacent, second bone portion is changed. This is not disclosed or suggested by Standerwick, which uses the pins to attached to bone portions that are not fractured. Farley does not suggest modifying Standerwick to arrive at the method recited in claim 72. Accordingly, the rejection of claim 72 should be withdrawn.

The dependent claims 73-77, 81, and 83-86 should be allowed in light of the amendments to claim 72 and the remarks above.

Consequently, Applicant respectfully requests allowance for the pending claims.

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